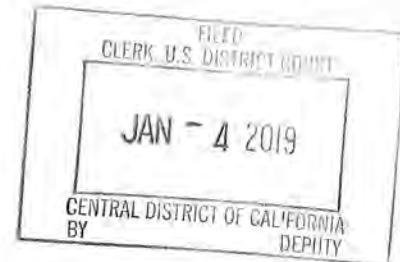


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COPY



10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 IN RE: CELLULAR TELEPHONES

No. 19MJ00029

13 GOVERNMENT'S EX PARTE APPLICATION  
14 FOR A WARRANT AUTHORIZING THE  
15 DISCLOSURE OF HISTORICAL CELL-SITE  
16 INFORMATION AND REQUEST TO SEAL;  
17 AFFIDAVIT OF LINDSAY T. BURNS

(UNDER SEAL)

18  
19 The United States of America, by and through its counsel of  
20 record, the United States Attorney for the Central District of  
21 California, hereby applies for a warrant requiring cellular  
22 telephone service provider(s) to furnish the Drug Enforcement  
23 Administration (the "Investigating Agency") with information  
24 relating to the following cellular telephones:

25 a. 916-759-3780, a cellular telephone issued by Verizon  
26 Wireless ("Carrier 1"), with international mobile equipment identity  
27 ("IMEI") number 355832083058955, used by Grace Anabel Montgomery  
28 ("Subject Telephone 1");

1           b.    310-990-6424, a cellular telephone issued by AT&T  
2   Wireless ("Carrier 2" and, collectively with Carrier 1, the  
3   "Carriers"), believed to be used by Trent Michael TOMASOVICH  
4   ("Subject Telephone 2");

5           c.    206-579-0454, a cellular telephone issued by Verizon  
6   Wireless, with international mobile equipment identity ("IMEI")  
7   number 353051098439355, believed to be used by Kristen WHITE  
8   ("Subject Telephone 3");

9           d.    714-600-5998, a cellular telephone issued by AT&T  
10   Wireless, believed to be used by Ian Flynn ("Subject Telephone 4");

11           e.    818-960-8483, a cellular telephone issued by AT&T  
12   Wireless, believed to be used by Joseph CAMPBELL ("Subject Telephone  
13   5" and, together with Subject Telephones 1 through 4, the "Subject  
14   Telephones").

15           Specifically, authorization is sought to obtain historical  
16   cell-site information, that is, information reflecting the location  
17   of cellular towers (cell-site and sector/face) related to the use of  
18   the Subject Telephones ("cell-site information"), to include call  
19   detail, text, and data information, for the Subject Telephones that  
20   was gathered by the Carriers from July 1, 2017 through the present  
21   (as to Subject Telephone 2), and from July 10, 2018 through July 17,  
22   2018 (as to Subject Telephones 1, 3, 4, and 5), along with any other  
23   associated data that was collected by the Carriers, but not  
24   including the contents of any communication.

25           The application is made in connection with an investigation of  
26   offenses committed by Trent Michael TOMASOVICH and others known and  
27   unknown (the "Target Subjects"), specifically, violations of 21  
28   U.S.C. §§ 841(a)(1) and 846 (distribution of controlled substances,



1 including distribution causing overdose death, and conspiracy to  
2 distribute and to possess with intent to distribute controlled  
3 substances) (the "Target Offenses"), and is based upon the attached  
4 agent affidavit. There is probable cause to believe that federal  
5 crimes have been committed and that the requested historical cell-  
6 site information will constitute or yield evidence of those crimes.

7 The information sought by this application first includes  
8 information about the location (physical address) of the "cell-  
9 sites" concerning the cell-sites/sectors that received or  
10 transmitted signals to and from the **Subject Telephones** during the  
11 requested period. This information, which is acquired in the first  
12 instance by the Carriers, includes any information, apart from the  
13 content of any communication, that is reasonably available to the  
14 Carriers and that is requested by the Investigating Agency,  
15 concerning the cell-sites/sectors receiving and transmitting signals  
16 to and from the **Subject Telephones**. This historical information is  
17 sought based on 18 U.S.C. § 2701 et seq. (the "Stored Communications  
18 Act"). The Stored Communications Act provides:

19 A governmental entity may require a provider of electronic  
20 communication service . . . to disclose a record or other  
21 information pertaining to a subscriber to or customer of  
22 such service (not including the contents of  
23 communications) only<sup>1</sup> when the governmental entity --

24 (A) obtains a warrant issued using the procedures  
25 described in the Federal Rules of Criminal  
26 Procedure . . . by a court of competent  
27 jurisdiction[.]

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28 <sup>1</sup> This section also provides other methods to compel disclosure,  
including via subpoena or court order. However, the government in  
this case is proceeding under the highest threshold, that is,  
obtaining a warrant as described in § 2703(c)(1)(A).



1 18 U.S.C. § 2703(c)(1); see also Carpenter v. United States, \_\_\_\_  
 2 S. Ct. \_\_\_\_, 2018 WL 3073916 (June 22, 2018) (holding that a warrant  
 3 is required to obtain seven or more days' worth of historical cell-  
 4 site information).<sup>2</sup>

5 Cellular telephone companies routinely create and maintain, in  
 6 the regular course of their business, records of information  
 7 concerning their customers' usage. These records typically include  
 8 for each communication a customer makes or receives (1) the date and  
 9 time of the communication; (2) the telephone numbers involved;  
 10 (3) the cell tower to which the customer connected at the beginning  
 11 of the communication; (4) the cell tower to which the customer was  
 12 connected at the end of the communication; and (5) the duration of  
 13 the communication. The records may also, but do not always, specify  
 14

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15  
 16 <sup>2</sup> The definition of terms in the Stored Communications Act makes  
 17 clear that the "record or other information" that a court may order  
 18 a provider to disclose to the government under Section 2703(c)(1)(A)  
 19 includes both cell site and other location information. First, the  
 20 Stored Communications Act expressly adopts the definition of  
 21 statutory terms set forth in 18 U.S.C. § 2510. See 18 U.S.C. § 2711  
 22 ("As used in this chapter. . . (1) the terms defined in section 2510  
 23 of this title have, respectively, the definitions given such terms  
 24 in that section"). Thus, the term "provider of electronic  
 25 communication service" used in Section 2703(c) covers cellular  
 26 telephone service providers, because 18 U.S.C. § 2510(15) defines  
 27 "electronic communications service" as "any service which provides  
 28 to users thereof the ability to send or receive wire or electronic  
 communications." 18 U.S.C. § 2510(15). Further, cell site and  
 other location information is "a record or other information  
 pertaining to a subscriber to or customer of" an electronic  
 communications service - another term used in Section 2703(c) -  
 because cellular telephone service providers receive and store the  
 information, if sometimes only momentarily, before forwarding it to  
 law enforcement officials. See In Re: Application of the United  
States for an Order for Prospective Cell Site Location Information  
on a Certain Cellular Telephone, 460 F. Supp. 2d 448, 457-60  
 (S.D.N.Y. 2006). Finally, this Court is a "court of competent  
 jurisdiction" because it is a "district court of the United States  
 (including a magistrate judge of such a court) . . . that . . . has  
 jurisdiction over the offense being investigated." 18 U.S.C.  
 § 2711(3)(A)(i).



1 a particular sector of a cell tower used to transmit a  
2 communication. Cell-site information is useful to law enforcement  
3 because of the limited information it provides about the general  
4 location of a cell phone when a communication is made.

5 Pursuant to 18 U.S.C. § 2705(b), this application requests that  
6 the Court enter an order commanding the Carriers not to notify any  
7 person, including the subscriber(s) of the **Subject Telephones**, of  
8 the existence of the warrant until further order of the Court, until  
9 written notice is provided by the United States Attorney's Office  
10 that nondisclosure is no longer required, or until one year from the  
11 date the Carriers comply with the warrant or such later date as may  
12 be set by the Court upon application for an extension by the United  
13 States, for the reasons outlined in the attached agent affidavit.

14 This application also seeks an order that: (1) authorizes the  
15 disclosure of the requested information, whether the **Subject**  
16 **Telephones** are located within this District, outside of the  
17 District, or both, pursuant to 18 U.S.C. § 2703(c)(1)(A) and Rule  
18 41(b), and, for good cause shown, at any time of the day or night  
19 pursuant to Rule of Criminal Procedure 41; (2) authorizes the  
20 disclosure of not only information with respect to the **Subject**  
21 **Telephones**, but also with respect to any changed telephone number(s)  
22 assigned to an instrument bearing the same ESN, IMSI, or IMEI  
23 ("unique identifying number") as any **Subject Telephone**, or any  
24 changed unique identifying number subsequently assigned to the same  
25 telephone number as any **Subject Telephone**, or any additional changed  
26 telephone number(s) and/or unique identifying number, whether the  
27 changes occur consecutively or simultaneously, listed to the same  
28 wireless telephone account number as any **Subject Telephone** within

1 the period of disclosure authorized by the warrant; and (3) orders  
2 the Investigating Agency to reimburse the Carriers for their  
3 reasonable expenses directly incurred in providing the requested  
4 information and any related technical assistance.

5 Finally, this application requests that it, the proposed  
6 warrant that has been concurrently lodged, and the return to the  
7 warrant be sealed by the Court until such time as the Court directs  
8 otherwise. Allowing disclosure to the public at large would likely  
9 jeopardize the ongoing investigation for the reasons outlined in the  
10 attached agent affidavit.

11 Dated: January 4, 2019

Respectfully submitted,

12 NICOLA T. HANNA  
13 United States Attorney

14 LAWRENCE S. MIDDLETON  
15 Assistant United States Attorney  
Chief, Criminal Division

16 /s/ Benjamin R. Barron  
17 BENJAMIN R. BARRON  
Assistant United States Attorney

18 Attorneys for Applicant  
19 UNITED STATES OF AMERICA  
20  
21  
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AFFIDAVIT

I, Lindsay T. Burns, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I am a Special Agent ("SA") with the United States Drug Enforcement Administration ("DEA") and an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), who is empowered to conduct investigations of, and to make arrests for, the narcotics offenses enumerated in Title 18, United States Code Section 2516.

Additionally, I have received certification from the California Attorney General to conduct wiretaps as authorized in Section 629.50 et seq. of the California Penal Code.

2. I have been employed as a DEA Special Agent since June 2010. I received five months of training at the Department of Justice Training Center, and I have participated in dozens of narcotics investigations as the case agent or as an investigating agent. I have debriefed defendants and witnesses who had personal knowledge regarding narcotics trafficking organizations.

Additionally, I have participated in many aspects of narcotics investigations, including conducting wiretap investigations, physical surveillance, search warrants, and arrests.

3. I am currently assigned to the High Intensity Drug Trafficking Area ("HIDTA") division, which is an enterprise operated through the DEA, Los Angeles HIDTA Office. Additionally, I am a member of the HIDTA Opioid Response Team ("ORT") HIDTA Group 45, which is tasked with the investigation of suspected opioid-related overdose deaths in Los Angeles County. HIDTA Group 45 is comprised

1 of DEA special agents and local law enforcement officers designated  
2 as Task Force Officers ("TFOs").

3 4. Unless otherwise noted, when I assert that a statement was  
4 made, the information was provided by another law enforcement  
5 officer (who may have had either direct or hearsay knowledge of the  
6 statement) to whom I have spoken or whose report I have read and  
7 reviewed. Likewise, information resulting from surveillance, except  
8 where otherwise indicated, does not necessarily set forth my own  
9 observations, but rather has been provided directly or indirectly by  
10 DEA Special Agents or other law enforcement officers who conducted  
11 such surveillance.

12 II. PURPOSE OF AFFIDAVIT

13 5. This affidavit is made in support of an application for a  
14 warrant authorizing the disclosure of historical cell-site  
15 information, to include call detail, text, and data information,  
16 for:

17 a. 916-759-3780, a cellular telephone issued by Verizon  
18 Wireless, with international mobile equipment identity ("IMEI")  
19 number 355832083058955, used by Grace Anabel Montgomery ("Subject  
20 Telephone 1");

21 b. 310-990-6424, a cellular telephone issued by AT&T  
22 Wireless, believed to be used by Trent Michael TOMASOVICH ("Subject  
23 Telephone 2");

24 c. 206-579-0454, a cellular telephone issued by Verizon  
25 Wireless, with international mobile equipment identity ("IMEI")  
26 number 353051098439355, believed to be used by Kristen WHITE  
27 ("Subject Telephone 3");  
28



1 d. 714-600-5998, a cellular telephone issued by AT&T  
2 Wireless, believed to be used by Ian Flynn ("Subject Telephone 4");

3 e. 818-960-8483, a cellular telephone issued by AT&T  
4 Wireless, believed to be used by Joseph CAMPBELL ("Subject Telephone  
5 5" and, together with Subject Telephones 1 through 4, the "Subject  
6 Telephones").

7 6. This affidavit further requests that the warrant authorize  
8 disclosure of such historical cell-site information for the  
9 following date ranges: (1) as to Subject Telephone 2, from July 1,  
10 2017, to the present; (2) as to Subject Telephones 1, 3, 4, and 5,  
11 from July 10, 2018 through July 17, 2018.

12 7. As described more fully below, I respectfully submit there  
13 is probable cause to believe that cell-site information likely to be  
14 received concerning the approximate location of the Subject  
15 Telephones, will constitute or yield evidence of violations of 21  
16 U.S.C. §§ 841(a)(1) and 846 (distribution of controlled substances,  
17 including distribution causing overdose death, and conspiracy to  
18 distribute and to possess with intent to distribute controlled  
19 substances), that were committed by Trent Michael TOMASOVICH and  
20 others known and unknown (the "Target Subjects").

21 8. The facts set forth in this affidavit are based upon my  
22 personal observations, my training and experience, and information  
23 obtained from various law enforcement personnel and witnesses. This  
24 affidavit is intended to show merely that there is sufficient  
25 probable cause for the requested warrant and does not purport to set  
26 forth all of my knowledge of, or investigation into, this matter.  
27 Unless specifically indicated otherwise, all conversations and  
28

1 statements described in this affidavit are related in substance and  
2 in part only.

3 III. STATEMENT OF PROBABLE CAUSE

4 A. Summary

5 9. I am investigating the narcotics overdose deaths of 24-  
6 year-old victim Grace Anabel Montgomery ("Montgomery") and 38-year-  
7 old victim Ian Flynn, each of which occurred on or about July 14,  
8 2018. Based on evidence set forth herein, I submit that there is  
9 probable cause to believe that (1) Trent Michael TOMASOVICH  
10 ("TOMASOVICH") is a drug trafficker who supplied drugs to Montgomery  
11 on or about July 13, 2018, (2) those drugs caused Montgomery to  
12 suffer a fatal overdose on July 14, 2018, after she consumed them  
13 and (3) those same drugs also caused Flynn to suffer a fatal  
14 overdose on July 14, 2018.

15 10. Specifically, as set forth below, on July 13, 2018,  
16 Montgomery, a recovering heroin addict, used her cellphone (**Subject**  
17 **Telephone 1**) to reached out to CAMPBELL (**Subject Telephone 5**)  
18 seeking heroin. CAMPBELL in turn referred Montgomery to "Trent"  
19 (TOMASOVICH) at **Subject Telephone 2**. TOMASOVICH has a history of  
20 opiate trafficking, including a recent conviction for selling heroin  
21 out of his Sherman Oaks residence. TOMASOVICH informed Montgomery  
22 that he could sell her fentanyl, a synthetic opioid that is fifty  
23 times more powerful than heroin, following which they arranged to  
24 meet at the Sherman Oaks family entertainment center Castle Park to  
25 complete the transaction. After purchasing the fentanyl, Montgomery  
26 went to the Woodland Hills residence of her friend, Kristin White;  
27 subscriber records confirm that White uses **Subject Telephone 3**.  
28 White ultimately found Montgomery in a bathroom in the residence,



1 unresponsive, and called for emergency medical services; after being  
2 transported to a hospital in the early morning hours of July 14,  
3 2018, Montgomery was later pronounced dead of a drug overdose.  
4 White's boyfriend, Flynn, was present at White's residence and found  
5 the baggie of fentanyl that Montgomery had just purchased from  
6 TOMASOVICH. White told Flynn to dispose of the powder, but Flynn  
7 instead consumed some of the fentanyl and suffered an overdose,  
8 which resulted in his own overdose death shortly thereafter.  
9 Following his death, Flynn's parents provided his cellphone to  
10 investigators and identified **Subject Telephone 4** as Flynn's phone  
11 number (i.e., the phone number associated with it); I conducted a  
12 query of a law enforcement public records database and verified that  
13 **Subject Telephone 4** was Flynn's phone number.

14 B. Other Law Enforcement Investigations of TOMASOVICH

15 11. TOMASOVICH has a long history of being investigated by law  
16 enforcement for narcotics trafficking, including the following,  
17 which I know from my communication with other law enforcement  
18 officers or review of various underlying reports:

19 a. In 2017, the DEA in Ventura conducted a wiretap  
20 investigation of a heroin delivery service that operated throughout  
21 much of the Central District of California. The wiretaps,  
22 authorized by the Honorable S. James Otero, United States District  
23 Judge, were signed on the following dates, each authorizing 30-day  
24 interception periods: CM 17-0987 on July 28, 2017; CM 17-0987A on  
25 August 30, 2017; and CM 17-0987B on October 2, 2017. TOMASOVICH,  
26 using **Subject Telephone 2** was intercepted throughout the  
27 interception periods ordering and coordinating the delivery of  
28 narcotics; I have reviewed linesheet summaries of the communications

1 and recognized that they involved coded discussion of narcotics  
2 trafficking. For example, on July 29, 2017, at approximately 5:45  
3 p.m., during an incoming call from **Subject Telephone 2** to "Chris" at  
4 one of the target phones (818 438 2767), TOMASOVICH referred to  
5 himself at the outset of the call as "Trent" (i.e., TOMASOVICH's  
6 first name). TOMASOVICH told Chris that he (TOMASOVICH) needed  
7 "four halves and a 20." Chris asked if TOMASOVICH's address was the  
8 same, and TOMASOVICH confirmed it was the corner of "Ostego and  
9 Sepulveda" (TOMASOVICH's residence, 5112 Sepulveda Boulevard,  
10 Apartment #223, in Sherman Oaks, California, is in fact located on  
11 Sepulveda Boulevard between Otsego Street and Hartsook Street).  
12 Chris confirmed that he had lots of people but would be there.  
13 Based on my training and experience, I recognize that in this call,  
14 TOMASOVICH was ordering heroin from Chris, and Chris agreed to  
15 deliver the heroin to TOMASOVICH's residence after he completed  
16 deliveries to his other customers. I observed dozens of similar  
17 communications throughout the interception periods, including  
18 communications in which TOMASOVICH referred to the ordered drugs by  
19 what I recognize to be code words such as "black" (black tar heroin)  
20 and "balloons" (balloons containing heroin). I also recognize from  
21 the linesheets that TOMASOVICH was ordering distribution quantities  
22 of heroin (i.e., more than for his own personal use), such as an  
23 October 20, 2017 communication in which TOMASOVICH ordered 300  
24 balloons, in addition to 20 units of "soda" (cocaine).

25           b. In early January 2018, an undercover ("UC") officer  
26 with the Glendale Police Department ("GPD") arranged to purchase  
27 heroin from a dealer advertising the sale of the drug on Craigslist,  
28 later identified as TOMASOVICH.



1           i. On January 5, 2018, the UC conducted an  
2 undercover buy of heroin from an unidentified male that TOMASOVICH  
3 directed to meet with the UC to complete the exchange. On January  
4 11, 2018, the Honorable Judge Beverly Bourne of the Los Angeles  
5 Superior Court of California issued a search for TOMASOVICH's  
6 residence located at 5112 Sepulveda Boulevard, #223, in Los Angeles,  
7 California and a black Lexus four door sedan bearing California  
8 license plate #7ZRL033.

9           ii. On January 16, 2018, at approximately 9:20 a.m.,  
10 the UC contacted TOMASOVICH, via text on the phone number 818-310-  
11 0294, and TOMASOVICH direct the UC to meet with him (TOMASOVICH)  
12 across the street from 5112 Sepulveda Boulevard (near TOMASOVICH's  
13 residence) to purchase a gram of heroin for \$80. (Although the  
14 phone number used to contact TOMASOVICH was not **Subject Telephone 2**,  
15 I believe that this is likely because TOMASOVICH was using a Voice  
16 over Internet Protocol ("VoIP") telephone number which acted as a  
17 "burner" cellphone. During an interview with GPD detectives, and  
18 after he had been advised of his Miranda rights, TOMASOVICH referred  
19 to a Samsung cellphone found in his possession at the time of his  
20 arrest as his "burner phone." Although GPD detectives did not find  
21 other cellphones in TOMASOVICH's possession at the time of his  
22 arrest, the GPD records of the arrest reflect that TOMASOVICH  
23 identified **Subject Telephone 2** as his phone number. (In other  
24 words, I believe that the Samsung phone found in TOMASOVICH's  
25 possession was likely **Subject Telephone 2**, and that TOMASOVICH was  
26 also using the same cellular device for drug-related communications  
27 with other VoIP phone number(s) such as the one he used to  
28 communicate with the UC.)

1                   iii. At approximately 11:15 a.m., the UC observed  
2 TOMASOVICH walk to the front of the meet location and observed  
3 TOMASOVICH enter a black Lexus sedan. The UC and TOMASOVICH made  
4 eye contact and the UC walked over to TOMASOVICH's vehicle.  
5 TOMASOVICH directed the UC get into the front seat of the vehicle to  
6 conduct the transaction to which the UC opened the front door and  
7 leaned in. The UC pulled the \$80 from his/her pocket and gave it to  
8 TOMASOVICH. TOMASOVICH again directed the UC to get into the  
9 vehicle as it was less "sketchy" to do the deal in the vehicle.  
10 TOMASOVICH handed the UC a small Ziploc bag with a brown substance  
11 resembling heroin. TOMASOVICH was thereafter arrested and an  
12 additional small Ziploc bag of brown substance resembling heroin was  
13 seized from his person. During the search of TOMASOVICH's  
14 residence, officers seized, among other things, three Ziploc bags  
15 and a plastic container each containing a brown substance resembling  
16 heroin, several broken Xanax pills, and two digital scales.

17                   iv. TOMASOVICH was arrested and charged with  
18 violating California Health and Safety Code Section 11351(a)  
19 (possession for sale of a controlled substance); TOMASOVICH's  
20 girlfriend, Tamara Elkadi, who was present at the residence, was  
21 also cited and released for California Health and Safety Code  
22 Section 11350(a) (possession of a controlled substance). On May 15,  
23 2018, TOMASOVICH was convicted of California Health and Safety Code  
24 Sections 11352(a) and 11351; he received three years' formal  
25 probation and 180 days jail.

26                   c. Additionally, on November 17, 2018, TOMASOVICH was  
27 arrested by Ventura County Sheriff's Department ("VCSD") deputies.  
28 During the arrest, the officers seized a black Samsung phone from



1 TOMASOVICH, and the underlying arrest records once reflect that  
2 TOMASOVICH's phone number is **Subject Telephone 2** (310-990-6424).

3 i. On November 17, 2018, VCSD deputies in a marked  
4 patrol unit were operating in Thousand Oaks, California. At  
5 approximately 7:46 p.m., dispatch advised that a reporting party  
6 heard two male subjects yelling and screaming in front of a house to  
7 "jack them" and "stab him." Deputies arrived to the location of the  
8 reported incident, 3480 Brokenhill Street in Thousand Oaks, and  
9 observed a silver Lexus sport utility vehicle departing the area.  
10 The patrol unit conducted a traffic stop on the vehicle.

11 ii. Deputy Mark Plassmeyer (#4691) contacted the  
12 driver, later identified as TOMASOVICH, while Deputy Cameron  
13 Simpkins (#5032) contacted the passenger, later identified as Tamara  
14 Elkadi (who, as described above, was present at TOMASOVICH's  
15 apartment during the search warrant executed at the location in  
16 January 2018). Deputy Plassmeyer observed TOMASOVICH to be very  
17 nervous, a stuttered speech and sweating. TOMASOVICH initially  
18 provided Deputy Plassmeyer a false name ("Ryan Pulaski"), which he  
19 spelled "Ryan Pierlaskvich," and provided false date of birth ("9-8-  
20 1991"). TOMASOVICH told Deputy Plassmeyer that a person named "Aaron  
21 Winkeler," at the 3480 Brokenhill Street residence, had stolen money  
22 from him (TOMASOVICH). TOMASOVICH stated that Winkeler took  
23 TOMASOVICH's wallet from the center console of the vehicle and ran  
24 inside the residence. Deputy Plassmeyer observed that TOMASOVICH's  
25 story was changing as he was telling it and detained TOMASOVICH.

26 iii. Deputy Plassmeyer advised TOMASOVICH that he  
27 could locate no records for a person with the name of "Ryan  
28 Pierlaskvich," in response to which TOMASOVICH identified himself by

1 another false name ("Will Myers") and date of birth ("8-14-1990").  
2 The deputy then advised that he could locate no records for that  
3 person either, in response to which TOMASOVICH admitted that his  
4 name was "Trent TOMASOVICH" and date of birth is "4-29-1991."  
5 TOMASOVICH stated that he lied about his identity because he was on  
6 probation for possession and intent to sell (drugs). TOMASOVICH  
7 later stated that his identification was inside his wallet which was  
8 still in the vehicle and that he (TOMASOVICH) lied about Winkeler  
9 stealing his wallet. Elkadi also identified herself to the deputies  
10 by several false names

11           iv. On searching for TOMASOVICH's wallet in the car,  
12 the deputies observed narcotics and drug paraphernalia in plain view  
13 within the vehicle, following which the deputies conducted an  
14 automobile search. They found, among other things, approximately  
15 \$838 cash in TOMASOVICH's wallet; hypodermic syringes; a white  
16 crystalline substance believed to be methamphetamine; plastic straws  
17 with brownish apparent drug residue in it; small portable scale;  
18 small plastic bag with various pharmaceutical pills; and a large  
19 piece of aluminum foil with dark brown apparent drug residue. They  
20 also found, within the car, a blue backpack that contained a small  
21 bag of suspected light brown powder heroin, a portable scale and  
22 small quantities of suspected methamphetamine and pills; a purse  
23 that contained small pieces of tin foil, small plastic bags, a  
24 rubber container with one broken pill; and four plastic containers  
25 that held a black tar substance (apparent heroin), white crystal  
26 like substance (apparent methamphetamine), and a white rocked  
27 substance (apparent crack cocaine).



1           d. Deputy Plassmeyer contacted Winkeler at his  
2 residence. Winkeler that he was "detoxing" from a fentanyl addiction  
3 and had contacted TOMASOVICH to buy drugs via the Facebook Messenger  
4 communication service. Winkeler ultimately decided not to go  
5 forward with the transaction. After TOMASOVICH and Elkadi had  
6 arrived, Winkeler asked his father to have them leave, which led to  
7 the confrontation that resulted in the deputies' arrival.

8           e. Deputy Plassmeyer interviewed TOMASOVICH after  
9 advising TOMASOVICH of his Miranda rights. TOMASOVICH told Deputy  
10 Plassmeyer that the blue backpack was his, along with a small black  
11 case that contained pills and tweezers belonged to him. Deputy  
12 Plassmeyer asked about the container of suspected methamphetamine to  
13 which TOMASOVICH the container possibly belonged to him and Elkadi,  
14 but that he was not certain. TOMASOVICH did not give consent to his  
15 cellphone.

16           f. Deputy Simpkins interviewed Elkadi after advising her  
17 of her Miranda rights. She explained that the substances (in the  
18 purse) were Xanax, methamphetamine and heroin. Elkadi stated "that  
19 we're selling" (ELKADI and TOMASOVICH). Elkadi gave Deputy Simpkins  
20 permission to examine the contents of phone; Deputy Simpkins  
21 observed multiple messages from unknown individuals asking for  
22 "clear" (suspected code for methamphetamine) and offering "clear" or  
23 a "g" (gram) for a set amount of money, along with records of  
24 Craigslist postings advertising "White China Dishes" (code for  
25 "china white," that is, fentanyl powder or fentanyl/heroin powder)  
26 and "Full \$one60" and "Half \$80" (offering one gram of fentanyl for  
27 \$160 and 1/2 gram for \$80).  
28

1 g. Sheriff's Deputies arrested and charged TOMASOVICH  
2 and Elkadi with violating various California drug and false  
3 statement statutes. Both TOMASOVICH and Elkadi were later released,  
4 and the charges against them remain pending.

5 C. Deaths of Montgomery and Flynn on July 14, 2018

6 12. On July 14, 2018, at approximately 3:00 a.m., Los Angeles  
7 Police Department ("LAPD") Officers Martinez (#42439) and Ramirez  
8 (#42446) responded to a radio call of an ambulance overdose at 22809  
9 Del Valle Street, Unit #10, in Woodland Hills, California 91364.  
10 Prior to LAPD Officers Martinez and Ramirez arriving at the  
11 residence, officers were advised that the individual, Grace  
12 Montgomery, had been transported to the West Hills Hospital, located  
13 in West Hills, California. Upon arrival at the Hospital, LAPD  
14 Officers were advised that the decedent, Montgomery, had been  
15 pronounced dead at approximately 3:26 a.m.

16 13. LAPD Officers spoke with Los Angeles Fire Department  
17 Rescue Paramedic Morales (#41741) who was at 22809 Del Valle Street,  
18 Unit #10, in Woodland Hills, California 91364. Morales informed  
19 LAPD officers that he responded to the residence at approximately  
20 2:40 a.m. in response to an emergency all that was initiated at  
21 approximately 2:32 a.m., Morales further informed the officers that  
22 he observed that Montgomery produced a snoring respiration (i.e.,  
23 indicating that she was alive at the time), and that the paramedics  
24 then began to work on Montgomery resulting in slight positive signs,  
25 following which Montgomery was transported to the West Hills  
26 Hospital. Morales also advised Officers that he (Morales) observed  
27 drug paraphernalia in the general vicinity of Montgomery inside the  
28 bathroom where Montgomery was found.



1        14. Officers spoke to Kristin White, who had reported the  
2 incident. White told LAPD officers that she and Montgomery had  
3 known each other for approximately one year and had met each other  
4 at an eating disorder rehabilitation center. White stated that  
5 Montgomery had texted her (White) earlier in the morning that she  
6 wanted to use heroin even though Montgomery had reached one year of  
7 being sober from heroin use. White invited Montgomery to her  
8 residence (22809 Del Valle Street, Unit #10, in Woodland Hills,  
9 California 91364) as a way to support each other since she (White)  
10 was also a recovering alcoholic. White stated that she eventually  
11 got drunk and the last time she saw Montgomery was around midnight.  
12 At approximately 2:00 a.m., White discovered Montgomery leaning over  
13 the toilet in the first floor bathroom with blood on her nose and  
14 unconscious. White told LAPD Officers that she immediately called  
15 911. Toxicology results revealed that Montgomery had died of an  
16 accidental overdose caused by fentanyl. The level of fentanyl was  
17 fatal and was determined to have caused Montgomery's death.

18        15. On the same date, at approximately 8:21 a.m., LAPD Patrol  
19 Officers Hall (#41496) and Gryglewski (#41763) received a radio call  
20 for an "Overdose/Death Investigation" at 22809 Del Valle Street,  
21 Unit #10, in Woodland Hills, California 91364. LAPD Officers met  
22 with Los Angeles Fire Department ("LAFD") Rescue Paramedic Morales  
23 (#41741) who advised Officers that they had received a call for a  
24 possible overdose. Upon their (LAFD) arrival, they observed the  
25 subject, later identified as Ian Flynn, lying on the couch. LAFD  
26 Rescue observed that Flynn was unconscious and not breathing. LAFD  
27 Rescue attempted to revive the Flynn but were unsuccessful. Rescue  
28 Paramedic Morales told LAPD Officers that he (Morales) pronounced

1 Flynn's death at 8:23 a.m. Morales advised LAPD Officers that they  
2 had taken another individual, Montgomery, from the same residence  
3 earlier in the night, to West Hills Hospital for a drug overdose.  
4 LAPD Officers Hall and Gryglewski met with White who reported Flynn  
5 to emergency officials. White told Officers that Flynn was her  
6 boyfriend and that her friend, Montgomery, had been transported to  
7 the hospital from the same residence earlier for a drug overdose.  
8 White stated that she last spoke to Flynn when he was in the  
9 downstairs living room (in the residence) while he (Flynn) sat on  
10 the couch. White told LAPD Officers that Flynn had a clear plastic  
11 bag with an unknown substance in it and had made a comment (to  
12 White) "your friend had money. This isn't heroin. This is 'China'."  
13 (From my training and experience, I recognize that the term "China"  
14 refers to "China white," which is common slang for white fentanyl  
15 powder or for fentanyl powder cut with heroin.) White told Flynn  
16 to throw "it" (the substance in the clear bag) away and went  
17 upstairs at approximately 6:00 a.m. At approximately 8:00 a.m.,  
18 White said she was awoken by Flynn's alarm clock and came downstairs  
19 to tell Flynn to shut his alarm off. White stated that she found  
20 Flynn lying on the couch unresponsive and called LAFD. Toxicology  
21 results revealed that Flynn had died of an accidental overdose  
22 caused by the combined effects of fentanyl and ethanol; the level of  
23 fentanyl was fatal and was determined to have caused Flynn's death.

24 D. Search of Subject Telephone 1

25 16. On August 7, 2018, LAPD detectives were given consent by  
26 Montgomery's father, Michael Montgomery, to search Montgomery's  
27 cellular phone. Upon review of the photos of text messages from  
28 Montgomery's phone and data taken from Montgomery's text message



1 chats with **Subject Telephone 5**, exchanged with an individual  
2 referred on the phone contacts to as "Joe," who I believe to be  
3 Joseph Anthony CAMPBELL. I observed the following text  
4 communication between CAMPBELL and Montgomery, with notes of my  
5 interpretation of coded/shorthand drug references added in  
6 parentheticals:

7 a. July 13, 2018, at approximately 11:22 a.m., the  
8 following text message conversation took place:

9 Montgomery: Hey it's Grace

10 CAMPBELL: Omg hi my love. What's up

11 Montgomery: Heyyyy so I I'm wondering if you know where to  
12 find black (heroin) in the valley area

13 CAMPBELL: Yeah and fet. (fentanyl) Off supulveda. My buddy  
14 lives in the apartments off supulveda and Hartsook across  
15 from a liquor store called oak liquor.

16 CAMPBELL: I' ' txt him rn and tell him I'm shooting u his  
17 number.

18 . . .

19 CAMPBELL: He's reliable as fuck and a good friend of mine

20 Montgomery: Ok awesome thanks so much. How much for a g  
21 (gram) usually.

22 CAMPBELL: 80-90 I believe,  
23

24 b. On July 13, 2018, at approximately 4:20 p.m., the  
25 following text message conversation took place:

26 Montgomery: Joeeeee what's his number. Omg you look so  
27 good btw.

28 CAMPBELL: Trent But My Francis (**Subject Telephone 2**)

1 Montgomery: Please excuse my terrible hangover face.

2 CAMPBELL: Awe thanks babe stfu u look great.

3 CAMPBELL: When u txt Trent just say he Trent this is joes  
4 friend grace he said you could probably help me out. Send  
5 that selfie of me with the pic along with a screen shot of  
6 your fb.

7  
8 c. On July 13, 2018, at approximately 4:20 p.m., the  
9 following text message conversation continued:

10 Montgomery: Girl you do china white (fentanyl)?? He says  
11 he doesn't have black (heroin)

12 CAMPBELL: It's bomb. Get Fet. (fentanyl)

13 Montgomery: Haha okkk. I though you could only shoot or  
14 snort white (fentanyl) tho I love to smoke shitttttt.

15  
16 b. Based on my training, experience, and knowledge of  
17 this investigation, I believe the following regarding the above  
18 messages. The July 13 conversation between Montgomery and CAMPBELL  
19 begins with Montgomery, using **Subject Telephone 1**, reaching out to  
20 CAMPBELL, using **Subject Telephone 5**, to see if he (CAMPBELL) knows  
21 of anyone that sells "black" in the valley, which I believe to be a  
22 coded word for heroin. CAMPBELL replies to Montgomery and tells her  
23 that he knows someone that sells heroin and "fet" which I believe to  
24 be fentanyl. CAMPBELL provides the contact name "Trent But My  
25 Francis" with an attached contact telephone number of "310-990-6424"  
26 (**Subject Telephone 2**), whom I believe to be Trent Michael  
27 TOMASOVICH. CAMPBELL further described that the individual that had  
28 the supply of fentanyl lived in an apartment off of "Supulveda and



1 Hartsook" across from a liquor store with signage identifying it as  
2 "Oaks Liquor Market". CAMPBELL instructed Montgomery to text  
3 TOMASOVICH that he (CAMPBELL) was her reference along with sending a  
4 screenshot photo of their conversation (Montgomery and CAMPBELL)  
5 which included a photo of CAMPBELL.

6 c. Upon review of California Department of Motor Vehicle  
7 ("DMV") database, a California DMV Driver License for Trent Michael  
8 TOMASOVICH (E1128328) has a listed address of 5112 Sepulveda  
9 Boulevard, Apartment #223, in Sherman Oaks, California 91403, this  
10 address is an apartment within a building located on the corner of  
11 Sepulveda Boulevard and Hartsook Street, which matches the  
12 description of the residence of the fentanyl supplier discussed in  
13 the above messages. Similarly, the Oak Liquor store is located at  
14 5148 Sepulveda Boulevard in Sherman Oaks, CA 94103, which is thus  
15 also consistent with the above line of communications.

16 d. Moreover, the summary of other law enforcement  
17 investigations of TOMASOVICH independently corroborate his use of  
18 **Subject Telephone 2** to engage in narcotics trafficking, and that  
19 TOMASOVICH sells narcotics in and near the vicinity of his Sherman  
20 Oaks residence. Moreover, regarding TOMASOVICH's arrest following  
21 his sale of heroin to a UC officer in January 2018, during  
22 communication between the UC and TOMASOVICH, TOMASOVICH provided the  
23 name "Francis" to the UC; the name "Francis" is similar to the name  
24 that CAMPBELL provided to Montgomery, "Trent But My Francis."

25 E. Conversations between Subject Telephones 1 and 2

26 17. As noted above, I believe that during a July 13 series of  
27 communications, CAMPBELL referred Montgomery to TOMASOVACH via  
28 **Subject Telephone 2** as a source to acquire fentanyl; the phone

1 number was saved in CAMPBELL's phone contacts under the name "Trent  
2 But My Francis." I observed the following text message  
3 communications between Montgomery (**Subject Telephone 1**) and  
4 TOMASOVICH (**Subject Telephone 2**):

5 a. On July 13, 2018, at approximately 5:05 p.m., the  
6 following text message conversation took place:

7 Montgomery: Hey this is joes friend I wanted to get  
8 something tonight.

9 TOMASOVICH: Have you hit me up before.

10 Montgomery: No. He just called me and said it was cool to  
11 text you. He's like my best friend.

12 TOMASOVICH: No that's fine I was just curious if it was  
13 the same person that hit me up before that he sent me. OK  
14 well let's start here wuts [what's] your name nd [and] you  
15 have a Facebook or Instagram.

16 Montgomery: Grace and my ig [Instagram] is  
17 @gracemontgomery\_

18 TOMASOVICH: Ok. You model??? That's you? Nd not saying I  
19 can but if I were able to wut are you looking to get?

20 Montgomery: Ya that's me. I wanted to get a g of black.

21 TOMASOVICH: How long you been using and or how much clean  
22 time to you have.

23 Montgomery: Been using a couple years but been clean a  
24 year until like a week ago. So many questions haha.

25 TOMASOVICH: Lol well yea you can never be to careful  
26 especially when the homie who t



1           Montgomery: Haha true. So did I pass your test or do you  
2           have more questions haha. Lemme know if you can get that  
3           for me.

4           TOMASOVICH: Lol so far your good..But yea Can never be too  
5           careful especially when the person you fit the number from  
6           didn't givr [give] me a heads up. Last little question you  
7           a smoker of shooter.

8           Montgomery: Sorry he told me he told you. Smoke.

9  
10          [AGENT Note: Montgomery sent a screen shot of a  
11          conversation with CAMPBELL to which CAMPBELL sent his  
12          phone contact for TOMASOVICH "Trent But My Francis"].

13  
14          TOMASOVICH: Ok well i can possibly help you out it just  
15          depends cause if you want black specifically your S.O.L,  
16          but if you want the 1000 X better version of it I can do  
17          so. I have China it's just a wee bit more expensive but  
18          it's a lot stronger and yea I do in fact mean a lot  
19          stronger.

20          Montgomery: Can I smoke it.

21          TOMASOVICH: Yep. Nd you can try it too.

22          Montgomery: Ok I'm down how much. And when

23  
24          b.    On the same date, at approximately 6:45 p.m., the  
25          following text message conversation took place between **Subject**  
26          **Telephone 1** and **Subject Telephone 2**:

27          TOMASOVICH: Sry for late response. So I'm upping now and  
28          it's 160 for the full 80 for the half. Like I said before

1 I know that seems like a lot but just wait to meet up and  
2 try it you don't want it you don't have to get it but I  
3 guarantee you your gonna by the g and make sure that this  
4 is usually available.

5 Montgomery: Ok. And do you never have black? I'll prob get  
6 the half tonight I don't get paid for a couple days.

7 TOMASOVICH: Used to and then switched immediately over.  
8 This is way more clean more potent a half will last you  
9 till you get paid for sure.

10 Montgomery: Ok dopeee. I'll hit you up once I'm off work  
11 and meet you where ever is good for you. Definitely do  
12 what you gotta go I'm not trippin, I just work as a night  
13 manager at a sober living and I work tonight to the sooner  
14 is better but I'll meet you wherever :)

15  
16 c. On the same date, at approximately 9:17 p.m., the  
17 following text message conversation took place between **Subject**  
18 **Telephone 1** and **Subject Telephone 2**:

19 Montgomery: Address? Cuz it'll take me like 20 min to get  
20 to Sherman oaks. The 405 and the 101 where.

21 TOMASOVICH: Ok go to castle park. It's on sepulveda.

22 Montgomery: Ok. Ok I'll be there in like 20 is that chill.

23 TOMASOVICH: Yea

24 Montgomery: Omg it's packed haha. Well I'm here.

25 TOMASOVICH: Yea it's Friday night. Ok well I'll hit you up  
26 in a minute.

27 Montgomery: Ok.

28 TOMASOVICH: On the way back I'll hit you up asap.



1 Montgomery: How long.

2 TOMASOVICH: 20-25 min

3 Montgomery: Ahhhh. Okk

4 TOMASOVICH: Ya sry that's why I said I would hit you up  
5 when I was heading f back. Anyway go to the McDonald's on  
6 ventura as of your heading back home.

7 Montgomery: Ok

8 Montgomery: Ok. You there?

9 TOMASOVICH: Will be  
10

11 18. Based on my training, experience, and knowledge of this  
12 investigation, I believe the following regarding the above  
13 conversation. The July 13 conversation between Montgomery, using  
14 **Subject Telephone 1**, and TOMASOVICH, using **Subject Telephone 2**,  
15 begins with Montgomery introducing herself as Joe's friend (Joseph  
16 CAMPBELL). I further believe that TOMASOVICH asked Montgomery to  
17 identify herself via a photo through Facebook or Instagram to ensure  
18 that Montgomery was not an undercover law enforcement officer.  
19 Montgomery told TOMASOVICH that she "wanted to get a 'g' of black"  
20 which I believe referred to one gram of heroin. TOMASOVICH  
21 continued to ask Montgomery if she was a "smoker" or "shooter" (if  
22 she inhaled or injected heroin) to which Montgomery replied "smoke."  
23 The conversation continued with TOMASOVICH explaining to Montgomery  
24 that if she wanted to purchase "black specifically" (heroin) then  
25 she was "S.O.L" (shit out of luck) but if "you want the 1000 x  
26 better version it I can do so." I believe that TOMASOVICH was  
27 referring fentanyl with the latter comment, which is fifty times  
28 more powerful than heroin. In addition, when TOMASOVICH stated that

1 he has "China it's just a wee bit more expensive but it's a lot  
2 stronger and yea I do in fact mean a lot stronger," I believe  
3 TOMASOVICH was attempting to explain that the fentanyl that  
4 TOMASOVACH had sold for a higher price but was also significantly  
5 stronger than heroin. TOMASOVICH told Montgomery that she could  
6 smoke "it" (fentanyl) to which Montgomery acknowledged "ok I'm down"  
7 and "how much."

8 a. I further recognize that the conversation continued  
9 with TOMASOVICH stating to Montgomery that he was "upping now"  
10 (acquiring additional narcotics to his supply) and that the price  
11 was "160 for the full" (\$160 for a gram of fentanyl) and "80 for the  
12 half" (\$80 for a ½ gram of fentanyl). TOMASOVICH further told  
13 Montgomery that she could "try it" (sample the fentanyl prior to  
14 purchasing any fentanyl from TOMASOVICH) and if she did not want  
15 "it" (fentanyl) than she did not have to "get it but I [TOMASOVICH]  
16 guarantee you your [you, you are] gonna by [going to buy] the g  
17 [gram]." I believe TOMASOVICH was advertising the quality of his  
18 narcotics product to Montgomery and once she sampled a portion of  
19 the fentanyl, she (Montgomery) would purchase the full gram for  
20 \$160. Montgomery and TOMASOVICH continued to text over **Subject**  
21 **Telephones 1-2** and arranged to meet and exchange a payment for  
22 fentanyl.

23 b. TOMASOVICH instructed Montgomery to meet him at  
24 "castle park. It's on Sepulveda" to carry out the deal. I believe  
25 this referred to carrying out the fentanyl transaction at the family  
26 entertainment center Castle Park located at 4989 Sepulveda Boulevard  
27 in Sherman Oaks, less than half a mile from TOMASOVICH's residence.



1        19. Upon review of the call log from Montgomery's phone,  
2 TOMASOVICH (**Subject Telephone 2**) called Montgomery (**Subject**  
3 **Telephone 1**) on July 13, 2018, at 11:16 p.m. The duration of that  
4 call was approximately 37 seconds. From 9:08 p.m. through 11:19  
5 p.m., on the same day, **Subject Telephone 1** placed 4 outgoing calls  
6 to **Subject Telephone 2**. I believe that these calls were to  
7 coordinate meeting at Castle Park to complete the fentanyl  
8 transaction.

9        D. Interview of Kristin White on August 13, 2018

10        20. On August 13, 2018, LAPD Detectives Santana and Moselle  
11 interviewed Kristin White. White informed Detectives that  
12 Montgomery had texted her (White) via White's phone, **Subject**  
13 **Telephone 3**, at approximately 10:00 p.m. on July 13, 2018. White  
14 told Detectives that she (White) was drunk when Montgomery arrived  
15 at White's residence, 22809 Del Valle Street, #10, in Woodland  
16 Hills, California 91364. White and Montgomery went to Taco Bell to  
17 get food; Montgomery drove as she (White) was too intoxicated to  
18 drive to Taco Bell. White said that they (White and Montgomery)  
19 went through the Taco Bell drive through and then returned to  
20 White's residence and she (White) passed out on the couch. White  
21 woke up around 2:30 a.m. and found Montgomery in the bathroom  
22 unconscious to which she called "911." When paramedics arrived,  
23 White told Detectives that she had called her boyfriend, Ian Flynn,  
24 and told him that Montgomery was overdosing. White stated that  
25 Flynn arrived at her residence before paramedics took Montgomery to  
26 the hospital. White and Flynn went to the hospital and returned to  
27 White's residence at approximate 5:00 a.m.

21. At approximately 5:40 a.m., Flynn told White, "your friend has money this is China white" (believed to be fentanyl). White told Flynn to throw "it" (fentanyl) away and to go to bed. White explained to Detectives that she heard Flynn's alarm going off and found him on the couch unresponsive to which she called "911." White further stated to Detectives that a few days after Montgomery died, White was looking through her phone (**Subject Telephone 3**). White observed photos of screen shots that she (White) had taken of Montgomery's phone (**Subject Telephone 1**) of text conversations between Montgomery (**Subject Telephone 1**) and Joe (CAMPBELL) (**Subject Telephone 5**) discussing the purchase of drugs. White told Detectives that she recognized the name "Joe" (believed to be CAMPBELL) as a guy they (Montgomery and White) met in Prominence and that Joe was a heroin user. White informed LAPD Detectives that she believed that "Joe" was the middleman and he gave Montgomery the connection to buy drugs. White provided these screen shots of the text messages between CAMPBELL and Montgomery to LAPD Detectives.

E. Surveillance Video of Castle Park

22. On August 14, 2018, Montgomery's father, Michael Montgomery, provided LAPD Van Nuys Homicide Detectives an email with a photo of Grace Montgomery's black Volkswagen bearing California license plate# 7UHV343. Upon review of the Castle Park still surveillance photo shots of the parking lot, a dark vehicle can be observed arriving and parking in a parking stall within the lot. Based on my observations of the photos, although grainy, it appears that the dark vehicle resembles the photo of Montgomery's black Volkswagen vehicle that had been provided to LAPD Homicide Detectives by Michael Montgomery. Additionally, the vehicle appears



1 to have a passenger located in the front passenger seat area of the  
2 vehicle as the vehicle arrives and parks into a parking stall.

3 23. Based on my experience and knowledge of this  
4 investigation, I believe that White was present and within the  
5 vicinity of Montgomery during the drug transaction between  
6 Montgomery and TOMASOVICH. Additionally, White was present at her  
7 (White's) residence during which both Montgomery and Flynn's  
8 overdoses that resulted in death.

9 24. Agents believe any of the known members of TOMASOVICH's  
10 DTO, including TOMASOVICH (the user of **Subject Telephone 2**) and  
11 CAMPBELL (the user of **Subject Telephone 5**) may have played a role in  
12 supplying the drugs found near Montgomery and Flynn the day that  
13 they both overdosed. Based on the evidence described above, I  
14 respectfully submit that the requested information regarding the  
15 **Subject Telephones** will provide evidence of the Target Subjects'  
16 commission of the Target Offenses.

17 IV. GROUNDS FOR SEALING AND DELAYING NOTICE

18 25. Based on my training and experience and my investigation  
19 of this matter, I believe that reasonable cause exists to seal this  
20 application and warrant, as well as the return to the warrant. I  
21 also believe that reasonable cause exists, pursuant to 18 U.S.C.  
22 § 2705(b), to enter an order commanding the Carriers not to notify  
23 any person, including the subscriber(s) of the **Subject Telephones**,  
24 of the existence of the warrant until further order of the Court,  
25 until written notice is provided by the United States Attorney's  
26 Office that nondisclosure is no longer required, or until one year  
27 from the date the Carriers comply with the warrant or such later  
28 date as may be set by the Court upon application for an extension by

1 the United States. There is reason to believe that such  
2 notification will result in: (1) flight from prosecution;  
3 (2) destruction of or tampering with evidence; (3) intimidation of  
4 potential witnesses; or (5) otherwise seriously jeopardizing the  
5 investigation. The investigation in this matter is not public or  
6 otherwise known to its targets. Moreover, investigators hope to  
7 execute future search warrants at locations utilized by MAYERS' DTO  
8 to further their narcotics distribution efforts.

9 ///



for Subject Telephone A and  
 from July 10 to 17, 2018 for  
 the other Subject telephones

V. CONCLUSION

26. For all of the above reasons, there is probable cause to believe that cell-site information related to the **Subject Telephones** from July 1<sup>0</sup>, 2018 through the present will constitute or yield evidence of violations of the Target Offenses that were committed by the Target Subjects. I seek historical cell site data through the present because (1) of evidence that the trafficking activity is ongoing and broad in scope, and (2) to provide evidence of locations frequented by the targets of the investigation, to allow investigators to identify any stash locations, source locations, or otherwise to provide evidence supporting surveillances and search warrants.

/s/  
 Lindsay T. Burns  
 Special Agent, Drug  
 Enforcement Administration

Subscribed to and sworn before me  
 this 4<sup>th</sup> day of ~~December, 2018.~~  
January, 2019

**JEAN P. ROSENBLUTH**

UNITED STATES MAGISTRATE JUDGE

**JEAN P. ROSENBLUTH**